

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

DARREN A. BRITTO, *et al.*,

Plaintiffs,

v.

BUREAU OF ALCOHOL, TOBACCO,
FIREARMS, AND EXPLOSIVES.

Defendant.

No. 2:23-cv-19-Z

DEFENDANT'S NOTICE OF SUPPLEMENTAL AUTHORITY

Defendant respectfully notifies this Court of an opinion that the United States District Court for the Northern District of Texas issued today in *Mock v. Garland*, No. 4:23-cv-95 (N.D. Tex.), attached hereto as Exhibit A. In that opinion, the court denied the plaintiffs' motion (i) to preliminarily enjoin the Bureau of Alcohol, Tobacco, Firearms, and Explosives' ("ATF") enforcement of the same rule challenged in this litigation, *Factoring Criteria for Firearms With Attached "Stabilizing Braces,"* 88 Fed. Reg. 6,478 (Jan. 31, 2023) ("Rule"), and (ii) to postpone the Rule's effective date. The court held that the plaintiffs had not demonstrated a "substantial likelihood of success on the merits of any of their claims." *See* Slip Op. at 1.

Dated: March 30, 2023

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

BRIGHAM J. BOWEN
Assistant Branch Director

/s/ Jody D. Lowenstein

JODY D. LOWENSTEIN (MT Bar No. 55816869)
MICHAEL DREZNER (VA Bar No. 83836)
FAITH E. LOWRY (TX Bar No. 24099560)

TAYLOR PITZ (CA Bar No. 332080)
Trial Attorneys
U.S. Department of Justice
Civil Division, Federal Programs Branch
1100 L Street NW
Washington, DC 20005
Phone: (202) 598-9280
Email: jody.d.lowenstein@usdoj.gov

Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on March 30, 2023, I electronically filed the foregoing document with the Clerk of Court using this Court's CM/ECF system, which will notify all counsel of record of such filing.

/s/ Jody D. Lowenstein
JODY D. LOWENSTEIN
Trial Attorney
U.S. Department of Justice